

Application No. 09/981,207
Response to Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE SPECIFICATION

The specification has been amended to correct a minor informality of which the undersigned has become aware. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

THE CLAIMS

New claim 11 has been prepared to more clearly and more positively recite the features of the present invention in better US form, based on, for example, original claims 6, 9 and 10 and the disclosure in the specification at, for example, page 22, line 23 to page 23, line 6.

In addition, new method claim 12 has been added corresponding to new apparatus claim 11.

No new matter has been added, and it is respectfully requested that new claims 11 and 12 be approved and entered.

It is respectfully submitted, moreover, that new claims 11 and 12 are in full compliance with the requirements of 35 USC 112, second paragraph, and it is respectfully requested that the rejection thereunder be withdrawn.

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THE OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

Claims 1-3 and 5-10 were rejected under the doctrine of obviousness-type double patenting as being obvious in view of claims 1-3, 8 and 9 of USP 6,597,875 ("Hasegawa"), in view of USP 6,636,702 ("Abe"). This rejection is respectfully traversed with respect to new independent claims 11 and 12.

According to the present invention as recited in new independent claims 11 and 12, a printing apparatus and method are provided wherein a plurality of second logics are stored in a storage section in correspondence with respective count values, and if the second normal code (generated with one of the second logics) coincides with the response code from the consumable, the printing apparatus updates the count value stored in the storage section in correspondence with the second logic used to obtain the second normal code in accordance with usage of the consumable. See the disclosure in the specification at, for example, page 22, line 23 to page 23, line 6.

It is respectfully submitted that Hasegawa and Abe, taken singly or in combination, do not disclose, teach or suggest these features of the present invention as recited in new independent claims 11 and 12.

It is respectfully requested, therefore, that the obviousness-type double patenting rejection be withdrawn, and it

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is respectfully submitted that new independent claims 11 and 12 patentably distinguish over Hasegawa and Abe, under 35 USC 102 as well as under 35 USC 103.

INFORMATION DISCLOSURE STATEMENT

On page 2 of the Office Action the Examiner suggests that USP 6,636,702 and USP 6,597,875 be "added to the IDS of the current application." It is respectfully pointed out, however, that these patents have already been listed by the Examiner on the form PTO-892 attached to the Office Action and therefore are already "of record" in the present application. Accordingly, it is respectfully submitted that it is unnecessary to list USP 6,636,702 and USP 6,597,875 in an IDS.

In addition, it is respectfully pointed out that the Examiner has not yet acted on the IDS filed on October 17, 2001, which is available in the Image File Wrapper of the present application, as evidenced by the attached listing of the contents of the IFW from PAIR. Accordingly, it is respectfully requested that the Examiner act on the IDS filed on October 17, 2001, and that an initialed copy of the Form PTO/SB/08A submitted with said IDS be returned to show that the publications listed thereon have been considered and made of record.

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In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

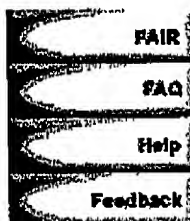
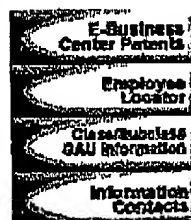


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